

## FIFTY-FOURTH DAY.

SENATE CHAMBER,  
AUSTIN, March 19, 1874. }

Senate met pursuant to adjournment.

Roll called; quorum present.

Senator Dillard presented the credentials of T. M. Joseph, Senator elect from the Twelfth Senatorial District.

They were read and received by the Senate.

On motion of Senator Dillard, Senator Joseph then came forward and took the required oath of office.

Journal of yesterday read and adopted.

Senator Moore presented a petition from citizens of Lamar county, "asking for the enactment of a law requiring stock to be kept within enclosures or under the immediate supervision of herdsman." Read and referred to Committee on Agriculture.

Senator Russell presented two petitions from citizens of the counties of Uvalde, Bandera and Edwards, "asking the formation of a new county from portions of the above named counties." Read and referred to Committee on Counties and County Boundaries.

Senator Friend, for Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills, beg leave to report that they have carefully examined Senate bill No. 141, "An act to be entitled 'An act to organize unorganized or disorganized counties within the State of Texas,' and find the same correctly engrossed.

Respectfully,

W. R. FRIEND, for Committee.

Senator Stirman, chairman of Committee on State Affairs, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on State Affairs, to whom was referred several bills on the subject of "Pensions to the veterans of the Texas revolution," after carefully examining them all, would respectfully report to your honorable body the accompanying bill as a substitute for all of said bills, on the subject of pensions to the surviving veterans of the Texas revolution, and would recommend its passage. W. B. STIRMAN, Chairman.

The title of the bill referred to is, "An act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico, including the Mier and Santa Fe prisoners, and the survivors of the company of Capt. Dawson, who was massacred near San Antonio in the year 1812, and the survivors of those who were captured at the city of San Antonio, in the fall of the year 1812, and taken to the Castle of Perote and confined therein."

Read first time, and on motion of Senator Friend, one hundred copies were ordered printed.

#### ACTS AND RESOLUTIONS APPROVED.

A message was received from the Governor announcing the following bills and joint resolutions that had been approved by him, and consequently became laws:

Senate bill No. 1, "An act to prevent sheriffs and other persons from paying over to G. W. Honey, or A. Bledsoe, or to any person for them, any money or public funds." Approved January 16, 1874.

Senate bill No. 2, "An act to prevent G. W. Honey, and A. Bledsoe, and others from paying out money or public funds," Approved January 16, 1874.

House joint resolution No. 2, "Joint resolution suspending the powers of the mayor, and aldermen, and other officers of the city of Houston, in Harris county, in certain cases herein enumerated." Approved January 20, 1874.

Senate bill No. 16, "An act to re-enact an act entitled 'An act to authorize the police court of Leon county to levy and collect a special tax to build a jail, and to validate the action of said court under said law,' and to cause the same to be published as one of the laws of the Thirteenth Legislature." Approved January 23, 1874.

Senate bill No. 25, "An act to amend 'An act to incorporate the city of Brownsville.'" Approved January 23, 1874.

House bill No. 46, "An act to consolidate in one act and amend the several acts incorporating the city of Houston, in Harris county." Approved January 23, 1874.

House bill No. 59, "An act to amend an act entitled 'An act to incorporate the city of Gatesville, and to grant a new charter to said city, and to repeal all acts heretofore passed incorporating said city, which may be enforced by virtue of any existing charter.'" Approved May 10, 1871. Approved January 24, 1874.

House bill No. 61, "An act authorizing the County Court of Cameron county to issue bonds for the purpose of funding county indebtedness, and to provide for the payment of the same." Approved January 24, 1874.

House bill No. 54, "An act incorporating Waco Lodge No. 70, Independent Order of Odd Fellows." Approved January 26, 1874.

Senate joint resolution No. 18, "Joint resolution ratifying the amendments to section twenty of article one Bill of Rights, to section two, section three and section four of article five; section twenty-eight, section forty and section forty-eight of articles twelve of General Provisions of the Constitution of the State of Texas." Received 12 m., January 26, 1874.

House bill No. 53, "An act supplemental to an act, entitled 'An act to incorporate

the city of Brenham and to grant a new charter to said city." Approved January 26, 1874.

House bill No. 3, "An act making an appropriation to defray the contingent expenses of the first session of the Fourteenth Legislature." Approved January 27, 1874.

Senate bill No. 2 1-2, "An act to regulate and define mileage to be paid members of the Legislature." Approved January 31, 1874.

House bill No. 5, "An act making an appropriation for the mileage and *per diem* pay of the members and the *per diem* pay of the officers and employees of the Fourteenth Legislature." Approved February 2, 1874.

Senate bill No. 7, "An act authorizing the County Court of Tyler county to levy a special tax for certain purposes." This act became a law without the approval of the Governor.

Senate bill No. 57, "An act to regulate the holding of the District Court of Freestone county at its April term." Approved February 7, 1874.

Senate bill No. 14, "An act to authorize the district judge to inquire into the sufficiency of the sureties upon the bonds of justices of the peace, and to require new bonds in certain cases." Approved February 9, 1874.

Senate bill No. 13, "An act to amend "An act prescribing the times of holding the district courts in the several judicial districts in the State." Approved February 10, 1874.

House bill No. 97, "An act to amend sections one, two and three of an act, entitled 'An act to amend an act to authorize the transcript of the records of Bowie county,' approved April 8, 1873. Approved February 11, 1874.

House bill No. 17, "An act to compel the sheriffs or ex-sheriffs and the late treasurers of the boards of school directors, or those claiming to have been such, and other officers, in the several counties of this State to make a complete and final settlement with the county court of said counties, and fix penalties for failure to comply therewith." Approved February 10, 1874.

Senate joint resolution No. 43, "joint resolution making an appropriation to refurnish and repair the executive mansion." Approved February 18, 1874.

House bill No. 20, "An act repealing an act entitled 'An act to prohibit the sale or giving away of spirituous, vinous, malt and other intoxicating liquors within two miles of certain places therein named,' passed May 31, A. D. 1873, page 717 special laws Thirteenth Legislature, or so much thereof as applies to the town of Moscow, or the Moscow Masonic High School." Approved February 18, 1874.

Senate joint resolution No. 12, "Joint res-

olution returning thanks to the President for upholding the right of local self-government in Texas." Approved February 14, 1874.

House bill No. 98, "An act to amend an act entitled 'An act prescribing the times of holding the district courts in Kaufman and Rockwall counties, in the Tenth Judicial District,' approved May 27, 1873. Approved February 16, 1874.

Joint resolution No. 151, "Joint resolution setting apart certain rooms in the Capitol building for the use of the Senate and House of Representatives." Approved February 16, 1874.

Senate bill No. 50, "An act making an appropriation to pay judgment in favor of G. M. Smith against the State of Texas." Approved February 21, 1874.

House bill No. 181, "An act to amend the twenty-ninth section of an act entitled 'An act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870. Approved February 21, 1874.

Senate bill No. 125, "An act to organize the county of Kinney." Approved February 24, 1874.

Senate joint resolution No. 118, "Joint resolution instructing the Attorney General to bring suit against James Davidson, late Adjutant General, and to prevent the sale of property in this State, held in his name, until the termination of said suit." Approved February 25, 1874.

Senate bill No. 186, "An act to provide for holding district court in Eastland county." Approved February 26, 1874.

House bill No. 220, "An act to fix the rate of mileage and *per diem* of witnesses in attendance on the various committees of the two houses of the Fourteenth Legislature, or before the Senate in cases of impeachment and address." Approved February 26, 1874.

House bill No. 168, "An act to authorize incorporated cities to establish and manage free libraries." Approved February 26, 1874.

House bill No. 311, "An act making an appropriation to pay the mileage and *per diem* of witnesses before the various committees of the two houses, and before the Senate in cases of impeachment of the Fourteenth Legislature." Approved February 26, 1874.

House bill No. 146, "An act to branch the Supreme Court of the State of Texas." Approved February 27, 1874.

House joint resolution No. 19, "Joint resolution declaring the second day of March and the twenty first day of April legal Texas holidays." Approved March 2, 1874.

House bill No. 314, "An act to provide money to pay the floating indebtedness of the State." Approved March 4, 1874.

Senate bill No. 137, "An act making an appropriation to pay contingent expenses of department of State." Approved March 3, 1874.

"An act to authorize the Governor to sell certain bonds of the State, and to adjust and settle the indebtedness of the State with Williams & Guion." Approved March 4, 1874.

Senate bill No. 163, "An act to define the Tenth Judicial District of the State of Texas, and to provide the times for holding of the courts therein, and to attach the county of Rockwall to the Fourteenth Judicial District." Approved March 5, 1874.

House joint resolution No. 133, "Joint resolution to require the State Treasurer not to pay certain warrants, except out of funds especially provided for the payment of such warrants." Approved March 9, 1874.

House bill No. 198, "An act making an appropriation to buy postage stamps for the office of Public Instruction." Approved March 9, 1874.

Senate bill No. 239, "An act to fix the *per diem* and mileage of witness summoned in cases of address or impeachment against the judges of the Twenty-second, Twenty-fourth and Twenty-fifth Judicial Districts." Approved March 9, 1874.

Senate bill No. 57, "An act to provide for the registration of voters in all the incorporated cities and towns within the State." Approved March 12, 1874.

Senate joint resolution No. 16, "Joint resolution asking our Senators and Representatives in Congress to procure an appropriation by Congress to improve the navigation of Soda Lake and Cypress Bayou." Approved March 12, 1874.

House bill No. 133, "An act to enlarge and define the boundaries of Wilson county." Approved March 13, 1874.

House bill No. 136, "An act to create and provide for the organization of the county of Tom Green." Approved March 13, 1874.

Senate bill No. 189, "An act to authorize justices of the peace to employ assistant assessors in certain cases." Approved March 13, 1874.

Senate bill No. 117, "An act to amend section thirteen of 'An act providing for a geological survey of the State of Texas.'" Approved August 13, 1870, approved March 16, 1874.

Senate bill No. 53, "An act to amend article 587, of the Code of Criminal Procedure." Approved March 16, 1874.

Senate bill No. 192, "An act to validate assessments made by assistant assessors." Approved March 16, 1874.

Senate bill No. 91, "An act for the relief of the purchasers of University lands and to validate the patents heretofore issued." Approved March 17, 1874.

House bill No. 112, "An act to provide

for the immediate apportionment of the school fund, which should have been apportioned in December, A. D. 1873." Approved March 17, 1874.

Senate bill No. 61, "An act to provide for the public printing by contract." Approved March 14, 1874.

House bill No. 47, "An act to amend 'An act to incorporate the city of Jefferson, in Marion county, and to repeal all laws heretofore passed, incorporating said city or amendatory thereof.'" Approved April 15, 1873.

A message was received from the House, announcing that the House was now ready to receive the Senate to consider the charges against Judge J. B. Williamson, of the Sixth Judicial District.

On motion of Senator Erath, the Senators proceeded to the House.

#### IN JOINT SESSION.

Hon. G. B. Lipscomb concluded his remarks.

Colonel James Turner, for the defendant, then addressed the joint session.

At the expiration of the time allowed, the Speaker of the House informed Mr. Turner of the fact.

Mr. Galvan, of the House, moved that he be allowed to continue his argument one-half an hour longer.

The Speaker put the question to the House and the time was granted.

The President of the Senate put the question to the Senate, and they voted that the time be allowed.

Colonel James Turner then resumed his argument.

At the close of his remarks, on motion of Senator Westfall, the Senators retired to the Senate Chamber.

#### IN SENATE.

Senator Friend introduced a bill, entitled "An act making an appropriation to carry into effect 'An act authorizing quarantine on the coast of Texas and elsewhere within the State,'" approved June 10, 1870. Read first time and referred to Committee on Finance.

Senator Baker submitted the following communication from the officers of the Agricultural, Mechanical and Blood Stock Association of Texas, accompanied by the following communication from himself:

AUSTIN, March 19, 1874.

Hon. R. B. Hubbard, President of the Senate:

I respectfully request that you present to the Senate the accompanying resolution of invitation to the State Fair, to be held in Houston, commencing on the nineteenth day of May, by which time the Legislature will probably have adjourned.

Very respectfully,

W. R. BAKER.

HOUSTON, Texas, March 17, 1874.

Resolved, That the board of directors of

the Texas State Fair do extend a cordial invitation to his Excellency Governor Coke, Lieutenant Governor Hubbard, and to the honorable members of the Texas Senate and House of Representatives to attend the fifth annual Texas State Fair, to be held on the State Fair Grounds, in the city of Houston, commencing Tuesday, May 19, and to have free access to the same during its continuance, and that this action be made known to the respective houses through Senator W. R. Baker and Messrs. Barziza and Schmidt.

W. J. HUTCHINS,

JAMES F. DUMBLE, Sec. President.

Senator Swift moved that the rules be suspended to take up Senate bill No. 272, "An act making an appropriation for the *per diem* pay of the members, and the *per diem* pay of the officers and employees of the Fourteenth Legislature of the State of Texas." Rules suspended, bill taken up, read second time and ordered engrossed.

On motion of Senator Swift, the rules were further suspended, bill read third time, and passed by the following vote:

Yeas—Senators Baker, Bradshaw, Bradley, Burton, Camp, Dillard, Dwyer, Erath, Flanagan, Friend, Hobby, Joseph, Moore, Parker, Randle, Stirman, Swift, Trolinger and Westfall—21.

Nays—Senator Allison—1.

On motion of Senator Swift, the Senate adjourned to 3 P. M.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment. Roll called; quorum present.

A message was received from the House announcing that body as being ready to receive the Senate in joint session to continue the consideration of the charges preferred against Judge J. B. Williamson, of the Sixth Judicial District.

On motion of Senator Parker, the Senate proceeded to the House.

#### IN JOINT SESSION.

Major W. M. Walton, of Travis county, then proceeded to address the joint session in behalf of the State.

On motion of Senator Parker, the Senators retired to the Senate Chamber.

#### IN SENATE.

On motion of Senator Ireland, the Senate proceeded to vote on the charges preferred in the address against Judge J. B. Williamson, of the Sixth Judicial District.

The President announced that the question would be, Are the cause or causes set forth in the address against Judge J. B. Williamson, of the Sixth Judicial District, sufficient to justify his removal from said office?

The Senate then proceeded to vote on said address with the following result:

Yeas—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Erath, Friend, Hobby, Ireland, Morris, Moore, Parker, Russell, Stirman, Swift, Trolinger and Westfall—22.

Nays—Senators Burton, Flanagan, Ledbetter and Randle—4.

Senator Joseph asked to be excused from voting.

On motion of Senator Westfall, Senator Joseph was excused.

Senator Ireland introduced a bill entitled "An act to authorize John W. Davis to hold two gift concerts, without the payment of the tax imposed on gift concerts; the proceeds to be applied to the building of a Baptist Church and Masonic Hall, in the town of San Marcos, Texas." Read first time and referred to Judiciary Committee.

Senator Ireland introduced a bill entitled "An act to amend article 761, of the Penal Code." Read first time and referred to Judiciary Committee.

On motion of Senator Bradshaw, the Senate adjourned.

#### FIFTY-FIFTH DAY.

SENATE CHAMBER,  
AUSTIN, March 20, 1874.

Senate met pursuant to adjournment; roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read and adopted.

(Senator Westfall in the chair.)

The journal of yesterday should have shown that, on motion of Senator Swift, the invitation from the Agricultural, Mechanical and Blood Stock Association, presented by Senator Baker, was accepted.

On motion of Senator Friend, the rules were suspended, to take up Senate bill No. 164, "An act to amend section eighteen, of 'An act concerning proceedings in district courts,' passed March 10, 1848, and took effect August 1, 1848. Bill read second time and ordered engrossed.

On motion of Senator Friend, the rules were further suspended, bill read third time and passed.

A message was received from the House announcing that the House had voted the address, asking the removal of Judge Williamson, of the Sixth Judicial District, by a vote of sixty nine yeas to eleven nays.

Senator Erath presented a petition from citizens of Waco against the passage of the bill providing for public weighers, in its present shape. Read and ordered to lie on the table.

Senator Trolinger presented a petition from citizens of Grayson county, asking that the bill providing for a public weigher,